



**MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION  
SEPTEMBER 6, 2006**

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Chair John Bauer called the meeting to order at 7:30 p.m. Present at the meeting were Vice-Chair Lenny Levy, Commissioners Matthew Hopkins, Lloyd Kaufman, and Danny Winborne, Planning and Code Administration Director Greg Ossont, Community Planning Director Trudy Schwarz, Planners Jacqueline Marsh, Patricia Patula, Rob Robinson, Planning Intern Allen Meyer, and Recording Secretary Myriam Gonzalez.

**I. APPROVAL OF MINUTES**

August 2, 2006, Planning Commission Meeting

Vice Chair Levy moved, seconded by Commissioner Winborne, to APPROVE the Minutes of the August 2, 2006, Planning Commission Meeting, as submitted this evening.

Vote: 5-0

**II. RECOMMENDATIONS TO MAYOR AND COUNCIL**

T-372 -- Ordinance to amend Chapter 24 of the City Code (City Zoning Ordinance), Article V, entitled, "Site Development Plans," § 24-172, entitled, "Compliance with and Changes in Plan," and to create a new § 24-172A, entitled, "Amendment to Site Development Plan," so as to revise requirements for amending site plans

Planning and Code Administration Director Ossont noted the Commission's public hearing record on the above-referenced application closed on August 30, 2006, and the City Council's remains open. Mr. Ossont indicated that the text amendment had been discussed at the Commission's August meeting and referenced Exhibit 16, noting it reflects the language changes discussed before. He reviewed those changes and noted the revised text amendment facilitates and expedites the application process for homeowners that need minor site plan changes.

Chair Bauer spoke in favor of the revised text amendment noting it provides better customer service.

Vice-Chair Levy moved, seconded by Commissioner Kaufman, to recommend to the Mayor and City Council ADOPTION of Text Amendment T-372, with revisions as reflected on Exhibit 16.

Vote: 5-0

SDP-06-002 -- Request to amend the previously-approved Schematic Development Plan SDP-00-002, The Crescent at Quince Orchard Park. The current application (SDP-06-002) requests a change of use from office to a

private educational institution for 13,000 square feet of the previously-approved building. The remaining 9,900 square feet will be office. The subject property is located at 900 Wind River Lane, Lot 6, Quince Orchard Park Crescent, and is in the Mixed Use Development (MXD) Zone.

Community Planning Director Schwarz noted the Commission's record on this application, which was the subject of a joint public hearing on August 7, 2006, has closed. She indicated that the applicant has submitted an amended schematic development plan (SDP), which reduced the size of the school to 13,000 square feet (from the original plan of 14,517 sq.ft.), increasing the remaining space to 9,900 square feet (from the original plan of 8,383 sq.ft.) for office. With the square footage revisions, the parking requirement was also reduced to 33 spaces for the office and 50 spaces for the school use. She presented the revised SDP, noting a relocated entrance has provided an improved circulation flow within the site.

Mrs. Schwarz briefly reviewed the staff analysis and listed the bases for a recommendation for approval, as the plan complies and meets the approval criteria [Zoning Ordinance §§ 24-160D.10(b) and 24-198(c)], subject to conditions which she discussed. She answered questions of Commissioners Winborne and Kaufman regarding the application of security practices mandated by Montgomery County Public Schools and signage for drop off/pick up of students. Staff noted that the latter would be addressed as a condition of final site plan approval and that the operational aspect of the school is not within the scope of this review. Planning and Code Administration Director Ossont added, however, that information on the applicability of MCPS security practices at this school would be provided at a later date.

Commissioner Winborne moved, seconded by Vice-Chair Levy, to recommend to the City Council APPROVAL of Schematic Development Plan SDP-06-002, with the following conditions:

1. The use for the school shall be established at 13,000 square feet and for the office at 9,900 square feet, as shown on the amended site plan (Exhibit 24);
2. The Mayor and Council shall establish the parking calculation for the subject private educational use to be 1.5 parking spaces per employee;
3. The applicant shall provide masonry screening for the dumpster enclosure to match the existing building elevations; and
4. The applicant shall provide designated parking areas for the parent drop-off and pick-up, and strictly enforce no parking along the sidewalk/curbs.

Vote: 5-0

### III. SITE PLANS

AFP-06-032 -- 825 Still Creek Lane in Lakelands  
Slater Residence  
288 Sq.Ft. Screened Porch in Rear  
AMENDMENT TO FINAL PLAN REVIEW

MXD Zone

Planning Intern Meyer located the property and introduced the applicant.

*Property owner/applicant Jennifer Slater* presented a drawing of the porch and discussed the proposed materials, noting they would match those of the existing house. She indicated the Lakelands Community Association's Design Review Committee had approved the proposed porch.

The following was testimony from the public:

Mark Hackman, 62 Appleseed Lane, inquired as to the reason for Commission review of this application, given the small scale of the request. Staff noted that this property was the subject of an approved site plan; adding, however, that T-372, discussed earlier in the meeting, would eliminate Commission review of small plan amendments such as this.

Mr. Meyer stated this plan meets the approval criteria in the Zoning Ordinance, subject to compliance with a condition that he listed.

Commissioner Kaufman moved, seconded by Commissioner Winborne, to grant AFP-06-032 - Lakelands 825 Still Creek Lane, AMENDMENT TO FINAL PLAN APPROVAL, finding it in compliance with Zoning Ordinance §§ 24-160, 24-170 and 24-172, with the following condition:

1. Applicant is to remedy any adverse drainage which might have been a result of the construction of a screened porch before final inspection approval of the building permit.

Vote: 5-0

AFP-06-035 -- 441 Lynette Street in Lakelands  
Hancock Residence  
92-Sq.Ft. Addition and 495-Sq.Ft. Deck over Garage  
AMENDMENT TO FINAL PLAN REVIEW

Since the applicant was not in the audience, the Commission moved this review to be last on the agenda, at which time the applicant was still absent.

Vice-Chair Levy moved, seconded by Commissioner Kaufman, to DEFER AFP-06-035 - Lakelands 41 Lynette Street.

Vote: 5-0

AFP-06-033 -- 135 Thurgood Street in Kentlands MXD Zone  
(Rau Residence)  
2-Story Addition, 2 Bay Windows and Deck  
AMENDMENT TO FINAL PLAN REVIEW

Planning Intern Meyer located the site on an aerial photograph.

*Architect for the applicant, Jim Martin, AIA*, presented the proposed plan and elevations noting two one-story bays on the front, a two-story addition in the rear that incorporates a screened-in porch with a terrace above. He indicated materials would match those existing and answered questions of Chair Bauer regarding the roof connections. Chair Bauer noted this property is not located in North Potomac as addressed on the application and recommended all documentation/plans be revised to reflect the address accurately.

Mr. Meyer stated the plan complies with the Zoning Ordinance and voiced staff's recommendation for approval.

Commissioner Kaufman voiced a concern that the basis for the Homeowners Association's approval should have been completed, including the neighbors' acknowledgement signatures, before submission for consideration by the Planning Commission. He noted that the City's receipt of the neighbors' signatures may not have followed proper procedures.

Vice-Chair Levy moved, seconded by Commissioner Hopkins, to grant AFP-06-033 - Kentlands 135 Thurgood Street, AMENDMENT TO FINAL PLAN APPROVAL.

Vote: 4-0-1 (Abstained: Kaufman)

AFP-06-031 --	Fields Road Elementary	R-A Zone
	1 School Drive	
	31,000-Sq.Ft. Addition	
	AMENDMENT TO FINAL PLAN REVIEW	

Planner Patula introduced this application and located the site.

*James Song, Montgomery County Public Schools (MCPS)*, presented the proposed plan for a 10-classroom addition and the building elevations. He noted on the plan the locations where the eight existing portables would be moved during construction, adding that they would be removed at completion in August 2008. He presented the proposed floor plan and discussed architectural elevations of the new building and the internal renovation (6,000 sq.ft.) of the existing building.

The following was testimony from the public:

*Mark Hackman, 62 Appleseed Lane*, voiced concerns with the location where the sign for this meeting was posted on the site, the construction impact on traffic, and locking of doors for security and rodent entry purposes. Planning and Code Administration Director Ossont addressed the traffic control issue and Mr. Song commented on the building access issues.

Planner Patula noted the plan complies with the Zoning Ordinance approval criteria, subject to conditions that she listed.

Commissioner Hopkins inquired about the general color scheme planned and Mr. Song noted the new building materials and colors would be as close as possible to those of the existing building. Mr. Song pointed out that the color of materials might not match exactly due to the bids this public project is subject to and the bidders' manufacturers.

Commissioner Kaufman moved, seconded by Commissioner Winborne, to grant AFP-06-031 - Fields Road Elementary School, AMENDMENT TO FINAL PLAN, finding it in compliance with Zoning Ordinance §§ 24-170 and 24-172, with the following conditions:

1. Applicant shall obtain approval of a final storm water management plan, the retaining wall, lighting and photometric plan from the Department of Public Works, Park Maintenance and Engineering before the issuance of building permits; and
2. Applicant shall obtain approval of the final forest conservation plan from the Environmental Affairs Division before the issuance of building permits.

Vote: 5-0

AFP-06-040 -- Crown Pointe  
Norwich/Sharpstead Lanes  
Revised Elevations  
AMENDMENT TO FINAL PLAN REVIEW

RP-T Zone

Planner Robinson noted the Commission discussed this item at its meeting on August 2, 2006, as staff had sought procedural guidance regarding the engineered unit elevations, which did not comply with height regulations of the RP-T Zone and were not in accordance with the thematic elevations approved by the Commission. He noted the newly revised elevations are now in keeping with the Commission's approved plan and located the site. Planning and Code Administration Director Ossont reported on staff's work with the applicant to bring the revised elevations into compliance with the Commission's approval and the RP-T Zone height restrictions, noting that a base roof height for this development was established.

*Applicant representative Pete Robertson, NVR Inc.*, presented the proposed revised elevations, noting two types of townhouses and one single-family house type within this 68-unit development. He discussed the roof variations which rendered all units under the 35-foot height limit of the zone, noting the roof pitches range from 6" to 1½' of the height restriction. He answered questions of Commissioners Winborne and Kaufman regarding the dormers.

There were no public speakers. Mr. Ossont reported the receipt of written testimony from Richard Arkin, 121 Selby Street (Exhibit 22), which was furnished to the Commission before the meeting.

Mr. Robinson voiced staff's recommendation for approval, noting the plan met the approval criteria, subject to the applicant's compliance with conditions that he listed.

Chair Bauer pointed out the roof of the Norwood model had been reduced below an acceptable pitch, adding that it would be of particular concern in cases where the unit is located on a gateway site. He noted the reduced pitch compromises the integrity of the whole elevation, as the resultant roofline is disproportionate to the rest of the building. He called for reconsideration of this elevation in order to reach a more creative design, specifically in places where that model is fully exposed to a street, Sam Eig Highway or Fields Road. He suggested a couple of strategies for the end units and thanked staff for their assistance in reaching solutions for the revisions that had been previously submitted.

The Commission discussed language for an additional condition to address the concern with the Norwood model and moved as follows:

Vice-Chair Levy moved, seconded by Commissioner Winborne, to grant AFP-06-040 - Crown Pointe Elevations, AMENDMENT TO FINAL PLAN, finding it in compliance with Zoning Ordinance §§ 24-170, 24-172 and 24-46, with the following conditions:

1. Applicant is to revise elevation plans to show all building materials in compliance with the X-181 Annexation Agreement;
2. Applicant is to revise elevation plans to show all architectural details (windows, shutters, columns, dormers, etc.), dimensions and materials; and

3. Applicant is to submit revised Norwood house type elevations for Planning Commission approval.

Vote: 5-0

#### IV. FROM THE COMMISSION

##### Commissioner Winborne

Reported safety hazards with northbound motorists on Clopper Road that are left-turning over double-yellow lines into residential developments, noting that existing measures to deter those movements are ineffectual.

##### Commissioner Kaufman

1. Suggested painting "Storm Drains into Chesapeake Bay" on storm drains within the City, noting such signs are very effective.
2. Voiced a concern with approval letters from homeowner associations on site development applications when said letters include unfulfilled conditions. He questioned whether the Planning Commission should consider applications in the future where the homeowner's conditions are not completely fulfilled.

##### Chair Bauer

1. Thanked Planning and Code Administration Director Ossont and Community Planning Director Schwarz for guiding the Commission through a tour of the Crown Farm.
2. Voiced a concern that access to the Washingtonian North site is not secured.
3. Inquired about the status of the new aquatic center project and of a 120-day redevelopment deferral in the City proposed by the City Council on September 5, 2006.

#### V. FROM STAFF

##### Community Planning Director Schwarz

Listed upcoming joint meetings.

##### Planning and Code Administration Director Ossont

Provided a status update on the Crown Farm Pointe project; and reported the onset of construction of the Market Square Plaza, noting its completion is projected to precede Thanksgiving.

VI. ADJOURNMENT

There being no further business to come before this session, the meeting was duly adjourned at 9:20 p.m.

Respectfully submitted,

M. Gonzalez  
Recording Secretary